

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- v. -

CARLOS JOSE ZAVALA VELASQUEZ,

Defendant.

- - - - - X

COUNT ONE

The Acting U.S. Attorney charges:

1. From at least in or about 2009, up to and including in or about 2012, in Honduras and elsewhere, and in an offense begun outside of the jurisdiction of any particular State or district of the United States and for which one of two or more joint offenders has been first brought to and arrested in the Southern District of New York, CARLOS JOSE ZAVALA VELASQUEZ, the defendant, whose point of entry into the United States was the Southern District of New York, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that CARLOS JOSE ZAVALA VELASQUEZ, the defendant, and others known and unknown, would and did import into the United States and into the

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customs territory of the United States from a place outside thereof a controlled substance, in violation of Title 21, United States Code, Sections 952(a) and 960(a)(1).

3. It was further a part and an object of the conspiracy that CARLOS JOSE ZAVALA VELASQUEZ, the defendant, and others known and unknown, would and did manufacture and distribute a controlled substance, intending and knowing that such substance would be unlawfully imported into the United States and into waters within a distance of 12 miles of the coast of the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 959(a) and 960(a)(3).

4. The controlled substance that CARLOS JOSE ZAVALA VELASQUEZ, the defendant, conspired to (i) import into the United States and into the customs territory of the United States from a place outside thereof, and (ii) manufacture and distribute, intending and knowing that such substance would be unlawfully imported into the United States and into waters within a distance of 12 miles of the coast of the United States from a place outside thereof, was mixtures and substances containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, in violation of Title 21, United States Code, Section 960(b)(3).

(Title 21, United States Code, Sections 959(c) (2014) and 963; and Title 18, United States Code, Section 3238.)

FORFEITURE ALLEGATION

5. As a result of committing the controlled substance offense charged in Count One of this Superseding Information, CARLOS JOSE ZAVALA VELASQUEZ, the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Sections 853 and 970, any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of the offense, and any and all property used, or intended to be used, in any manner or part, to commit, and to facilitate the commission of the offense charged in Count One of this Superseding Information.

Substitute Assets Provision

6. If any of the above-described forfeitable property, as a result of any act or omission of CARLOS JOSE ZAVALA VELASQUEZ, the defendant:

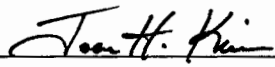
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which  
cannot be subdivided without difficulty,

it is the intent of the United States, pursuant to Title 21, United States Code, Sections 853(p) and 970, and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 853 & 970; and  
Title 28, United States Code, Section 2461(c).)

  
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JOON H. KIM  
Acting United States Attorney

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SUPERSEDING INFORMATION

S4 15 Cr. 174 (LGS)

(21 U.S.C. §§ 959(c) (2014) & 963; and  
18 U.S.C. §§ 3238, 2.)

JOON H. KIM

Acting United States Attorney.

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FT 6-15-17 Filed Waiver of Indictment. Filed Information.  
Defendant present with attorney Howard Leader.  
AUSA Emil Boue Present for the Government.  
Court Reporter Present. Defendant enters a  
Plea of Guilty To Count 1 of the S4  
Information. Judge Francis recommends that  
Judge Schofield accept the guilty Plea.  
Sentencing scheduled for September 15, 2017.  
PSI ordered. Detention Continued. Francis  
U.S.M.J